

*Adro Environmental, Inc. • Asian American Drug Abuse Program (AADAP) • Bay Area Urban League • Berkeley Youth Alternatives • California Communities Against Toxics • Calvary Baptist Homes, Inc. • Center on Race, Poverty & the Environment • Clean Water Action • Community Abatement of Pollution & Industrial Toxins (CAP-IT) • Communities for a Better Environment • Community Youth Council for Leadership and Education (CYCLE) • East Bay Urban Gardeners • The Ecology Center • Environmental Health Coalition • Environmental Science Institute • Greenaction for Health and Environmental Justice • Greenlining Institute • Latino Issues Forum • Literacy for Environmental Justice • People United for a Better Oakland (PUEBLO) • Political Ecology Group • Progressive Association • Save San Pablo Bay Lands • Save The Bay/Seafood Consumption Information Project • Silicon Valley Toxics Coalition • Spanish Speaking Unity Council • Sustainable Alternatives to the Global Economy (SAGE) • Tri-Valley CAREs • United Indian Nations • United Indian Nations Community Development Corporation • Urban Creeks Council • Urban Habitat Program • West County Toxics Coalition*

June 23, 1999

The Honorable Bruce Babbitt  
U.S. Department of Interior  
1849 C Street, NW  
Washington D.C. 20240

The Honorable Gray Davis  
State Capitol Building  
Sacramento, CA 95814

Dear Interior Secretary Babbitt and Governor Davis:

The community-based organizations we represent are concerned that the CALFED Bay-Delta program currently does not engender or reflect meaningful participation from our communities, as required by the President's Executive Order on Environmental Justice and Title VI of the Civil Rights Act of 1964. This letter outlines issues of particular concern and sets forth specific recommendations for how to address these issues.

Our communities have a substantial stake in the CALFED process and a significant role to play in devising and implementing solutions. Our communities already suffer from deteriorating infrastructure and polluting industries, and we want to ensure that CALFED programs do not add to these burdens. We want to ensure that CALFED chooses the most cost-effective solutions to help build communities, create jobs, and improve quality of life.

Many of the problems that the CALFED program is meant to address, as well as the proposed and potential solutions, have a disproportionate impact on low-income people and communities of color. For example:

- CALFED's proposed solutions could place a higher economic burden on our communities, since low-income people expend a larger percentage of their income for energy, water, and taxes;
- Water pollution (metals, pesticides, dioxin, and other point and non-point contaminants) affects the fish we eat and areas in which we live, work, and play, creating public health concerns. It is especially detrimental because our communities consume more fish and have less access to information about these risks and less access to health services for acute or chronic ailments associated with pollution;

- Water management decisions (especially those made without reference to land use) can promote sprawl, contributing to further divestment in central cities and increased infrastructure costs for urban residents to support such growth.
- An emphasis on large-scale water storage and conveyance to achieve safe drinking water may ignore opportunities to more cost effectively improve water quality, including actions to fix failing distribution infrastructure, upgrade treatment systems, and invest in watershed management, water conservation and reuse.

Our communities struggle with these issues every day, and we are developing some of the most creative and successful solutions to California's water problems. Our experiences and perspectives would benefit CALFED enormously by expanding the scope of potential solutions. For example community-based organizations distributing low-flow toilets in Los Angeles have reduced the amount of water Los Angeles must import from the Bay-Delta, and reinvested proceeds in other community programs. Community organizations are also on the leading edge of urban creek renewal projects that contribute not only to urban revitalization but also to improved flood control, water quality, education and outreach, and other watershed-related programs.

We urge CALFED to make our communities and concerns an integral part of CALFED's decision-making process, program and project selection, and implementation. Specifically, we urge CALFED to immediately take the following steps:

1. Appoint representatives from Environmental Justice organizations to CALFED advisory and governance bodies;
2. Identify and address Environmental Justice issues in the CALFED program in cooperation with community-based organizations;
3. Create an Environmental Justice Grants Program.

Appoint representatives of Environmental Justice organizations to the CALFED advisory and governance bodies.

The governance and advisory bodies for CALFED do not represent our communities. CALFED's current multicultural outreach program is not adequate for incorporating environmental justice concerns into CALFED's decision-making process on policies, grants, timelines, and other issues. CALFED's outreach has concentrated on distributing information to mostly business-oriented multicultural organizations and has not reached deeper into the communities where organizations and individuals are pursuing solutions to the problems they face. Mere distribution of written materials and presentations will not result in meaningful engagement of urban communities in CALFED decision-making. The urban environmental justice community (as well as the rural environmental justice community) ought to be represented on CALFED's advisory bodies, including the Bay-Delta Advisory Council (BDAC), the Ecosystem Roundtable, and other such advisory bodies that may be chartered in the future. To ensure participation, funding for stipends and travel should be made available.

Identify and address Environmental Justice issues in the CALFED program.

CALFED must determine the impacts of its programs (including each of the common programs and the other program elements) on communities of color and low-income communities and

ensure that environmental justice concerns are addressed. The assessment process should include:

- The impact CALFED will have on inner city water rates.
- How CALFED will improve the water quality of urban streams.
- The impact CALFED will have on infrastructure decisions in inner cities.
- Where and what types of jobs will be created by CALFED's alternatives.
- The human health costs and benefits of CALFED's actions.

This analysis should inform decision-making and ensure that CALFED selects projects and develops programs that serve all Californians.

Create an Environmental Justice Grants Program.

Many people of color and low-income communities are already participating in projects and programs that contribute to a CALFED solution. Creating a sustainable water future for California requires ownership of the problems and solutions at the grassroots level. To ensure that these community efforts are supported and integrated into CALFED's implementation plans, CALFED should direct funds to these projects and communities.

We recommend that CALFED reserve 10 percent of its grant monies for eligible community groups (i.e. community-based/grassroots organizations, churches, or other non-profit organizations) and federally recognized tribal governments that are working on or plan to carry out projects to address environmental justice issues relevant to the CALFED program. Such an environmental justice grants program should include criteria and a process (including proposal and reporting requirements and adequate staff support for applicants) to ensure the program includes meaningful community participation and remains accessible to community organizations with few resources (i.e. a program that would improve upon the USEPA's Environmental Justice Small Grants program).

Communities are already engaged in the following activities, and CALFED needs to integrate and expand these activities in its programs:

- increasing awareness in local communities of fish and waterfowl consumption advisories;
- adopting preventive approaches to environmental health risks associated with contaminated water bodies;
- establishing programs to prevent and reduce pollution (including point source, non-point source, stormwater, etc.) and toxics throughout California (northern and southern watersheds);
- encouraging community-based wetlands, creek restoration and watershed management programs in urban settings throughout California
- improving environmental education and outreach in our communities
- expanding job creation opportunities through community-based water conservation programs
- renovating aging inner city infrastructure to improve water-use efficiency and water quality
- fostering community-organized water quality monitoring, protection, and clean-up projects

Thank you for your consideration. We look forward to working with you to ensure that CALFED's program incorporates the above recommendations.

Sincerely,

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Barbara Boxer, U.S. Senate  
Dianne Feinstein, U.S. Senate  
Antonio Villaraigosa, Speaker of the Assembly  
John Burton, Senate Pro-Tem  
CALFED Senate Select Committee:  
    Sen. Maurice Johannessen  
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    Sen. Richard Rainey  
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Environmental Water Caucus